

# EXHIBIT B

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

Case No.: \_\_\_\_\_

ADALBERTO ACOSTA RIVERA,

Plaintiff, Case 8:07-cv-00897-SDM-MAP Document 1-3 Filed 05/24/2007 Page 2 of

vs.

MERCK & CO., INC., PFIZER, INC.,  
PHARMACIA CORPORATION,  
a wholly owned subsidiary of PFIZER, INC.,  
PHARMACIA & UPJOHN COMPANY, LLC,  
a wholly-owned subsidiary of PHARMACIA  
CORPORATION, G.D. SEARLE LLC (f/k/a  
G.D. SEARLE & CO.), and MONSANTO COMPANY,

Defendants.

\_\_\_\_\_ /

**MERCK & CO., INC.'S CONSENT TO REMOVAL**

Merck & Co., Inc. ("Merck") states as follows:

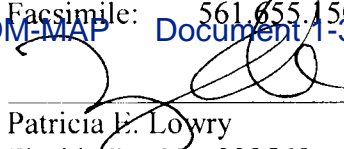
1. Merck consents to the removal of the above-captioned action, originally filed in the Circuit Court of the Fourth Judicial Circuit in and for Duval County, Florida, assigned Case No. 16-07-CA-003466.
2. This consent to removal is made within thirty (30) days of the date Merck first ascertained that this action was removable.
3. In consenting to removal, Merck does not intend to waive any rights or defenses to which it is otherwise entitled, including but not limited to, those items set forth in Federal Rule of Civil Procedure 12(b).

Dated: May 24, 2007.

Respectfully submitted,

SQUIRE, SANDERS & DEMPSEY L.L.P.  
1900 Phillips Point West  
777 South Flagler Drive  
West Palm Beach, FL 33401-6198  
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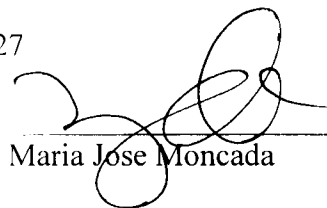
  
\_\_\_\_\_  
Patricia E. Lowry  
Florida Bar No. 332569  
John B. T. Murray, Jr.  
Florida Bar No. 962759  
Maria Jose Moncada  
Florida Bar NO. 0773301

*Attorneys for Defendant Merck & Co., Inc.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via  
U.S. Mail this 24 day of May, 2007 to:

Brenda S. Fulmer  
C. Todd Alley  
James D. Clark  
Donald W. Greiwe  
ALLEY CLARK GREIWE & FULMER  
701 E. Washington Street  
P.O. Box 3127  
Tampa, FL 33601-3127

  
\_\_\_\_\_  
Maria Jose Moncada

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